TRANSMITTAL

**FORM** 

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

September 19, 2003

William Waycott

Date

June 9, 2005

10/665.029

1638

e Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number

First Named Inventor

Filing Date

Art Unit

			100	<i></i>	
(to be used for all correspondence after initial filing)		Examiner Name	Kei	Keith O'Neal Robinson	
Total Number of Pages in This Submission 5		Attorney Docket Number	347	34703/0020	
	ENCLO	OSURES (Check all that ap	ply)	<u> </u>	
Fee Transmittal Form Fee Attached	1=	rawing(s) icensing-related Papers		After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences	
Amendment/Reply	1	etition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
After Final Affidavits/declaration(s)	P	etition to Convert to a rovisional Application ower of Attorney, Revocation		Proprietary Information  Status Letter	
Extension of Time Request	T	Change of Correspondence Address Terminal Disclaimer		Other Enclosure(s) (please Identify below): Return Postcard	
Express Abandonment Request  Information Disclosure Statement		equest for Refund  D, Number of CD(s)  Landscape Table on CD			
Certified Copy of Priority Document(s)	Rema	rks	, <b>!</b>		
Response to Missing Parts/ Incomplete Application	ĺ	•			
Response to Missing Parts under 37 CFR 1.52 or 1.53					
SIGNA	TURE OF	APPLICANT, ATTORNEY	OR AC	GENT	
Firm Name McDonough Nolland &			,		
Signature					
Printed name Carl J. Schwedler					
Date June 9, 2005			Reg. No.	36,924	
C	ERTIFICA	TE OF TRANSMISSION/M	IAILING		
I hereby certify that this correspondence is be			-		
Thereby certify that this correspondence is be	my racomine	managinited to the COP TO Of dep	ODITED MILI	I THE CHILER STATES LOSTER SELVICE MITH	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria,

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc. www.USCourtForms.com

Typed or printed name

Signature

VA 22313-1450 on the date shown below.

Connie Evenich



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

William Waycott

**APPLICATION NO.:** 

10/665,029

FILING DATE:

September 19, 2003

TITLE:

Lettuce Varieties Having Both Iceberg and Romaine Lettuce

Characteristics and Methods of Using Seminis Vegetable

Seeds, Inc.

**EXAMINER:** 

Keith O'Neal Robinson

**GROUP ART UNIT:** 

1638

ATTY. DKT. NO.:

34703/0020

## CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope

addressed to: Mail Stop: Amendment, Commissioner For Patents, P.O. Box 450, Alexandria, VA 27313-450

Dated: 6-9-05

By:

Onnie Evenich

MAIL STOP: AMENDMENT COMMISSIONER FOR PATENTS P.O. BOX 1450

Alexandria, VA 22313-1450

## **AMENDMENT AND RESPONSE TO**

## **ELECTION/RESTRICTION REQUIREMENT**

SIR:

In response to the Election/Restriction requirement mailed May 9, 2005, Applicants elect Group I. Elected patentably distinct species PSR 6425 of previously elected Group II is elected for prosecution, to the extent necessary, of Claims 38 to 45.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.